
UNITED STATES DISTRICT COURT**EASTERN DISTRICT OF TEXAS**

JAMES A. MCNEELY,

Plaintiff,

*versus*MITCH WOODS, *et al.*,

Defendants.

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CIVIL ACTION NO. 1:19-CV-43

**MEMORANDUM ORDER ADOPTING THE
MAGISTRATE JUDGE’S REPORT AND RECOMMENDATION**

Plaintiff, James A. McNeely, a former pre-trial detainee confined at the Jefferson County Correctional Facility, proceeding *pro se* and *in forma pauperis*, filed this civil rights action pursuant to 42 U.S.C. § against the following defendants: Jefferson County, former Sheriff Mitch Woods, former “Jailer” Rod Carroll, Correctional Officer John Doe #1, Correctional Officer Regan, CCS/Conmed Health Care Management, Kent Sims, Jane Doe #1, Jane Doe #2, and Correctional Officer Moss.¹

The court referred this matter to the Honorable Zack Hawthorn, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The Magistrate Judge recommends dismissing plaintiff’s claims against defendant CCS/Conmed Health Care Management as frivolous and for failure to state a claim.

¹

The above-referenced cause of action was severed from Civil Action No. 1:16cv51. In the latter, plaintiff’s claims against defendants Kent Sims, Jane Doe #1 and Jane Doe #2 (the “medical” defendants) were dismissed for failure to state a claim and as frivolous. After the Report and Recommendation was entered, plaintiff amended his complaint to add Jefferson County and CCS/Conmed Health Care Management.

The court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such referral, along with the record, and pleadings. No objections to the Report and Recommendation have been filed to date.²

ORDER

Accordingly, the findings of fact and conclusions of law of the Magistrate Judge are correct and the report of the Magistrate Judge is **ADOPTED**. A Partial Judgment will be entered in this case in accordance with the Magistrate Judge's recommendations.

Signed this date

Jun 3, 2019

A handwritten signature in black ink that reads "Marcia A. Crone". The signature is written in a cursive, flowing style.

MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE

² Plaintiff received a copy of the Report and Recommendation on April 12, 2019 (docket entry no. 35).